COMMENTS FROM SURFACE WATER MANAGEMENT DIVISION

Section S3D states that "permittees must be in compliance with any applicable Total Maximum Daily Load (TMDL) determination." This language and similar language in sections that follow should be removed. For TMDL plans that have already been developed, it is an inappropriately vague statement. Specific requirements contained in existing Detailed Implementation Plans (DIPs) developed pursuant to TMDLs, if they are to become NPDES permit requirements, should be listed in the permit, so that permittees can easily determine what the requirements, and whether to appeal the permit on the basis of these proposed conditions. Recommendations from DIPs produced after issuance of the permit can become permit conditions only through a permit modification process as set forth in Chapter 173-226- 230 WAC. This has already been agreed upon in negotiations with Ecology about the NPDES municipal permit.

COMMENTS FROM SOLID WASTE MANAGEMENT DIVISION

1. Monitoring / Sampling - *The parameters specified to obtain valid, qualifying quarterly grab samples for analysis will be difficult and costly to meet in terms of manpower. This is particularly true for the requirement to obtain samples in the third quarter when very few qualifying storms may occur.*

We have three facilities covered under Industrial Permits: the closed Cathcart Landfill Site near Snohomish with multiple (nine) sampling locations, the Southwest Transfer Station in Mountlake Terrace (two sampling locations), and the Everett Transfer Station in Everett (one sampling location). We are constructing a new Station at Paine Field in south Everett, which will require coverage when it opens in mid-2003 (one sampling location).

The six staff responsible for monitoring / sampling activities are based at our Cathcart Site. All six will be required to simultaneously cover the different sites and sampling locations. The Everett station is 20 minutes distant, Southwest, 35 minutes and Paine Field, 30 minutes **in good traffic situations**, which rarely occur.

Concurrent dispatching of personnel from Cathcart when a storm event starts, coupled with travel time, will likely result in missing the 1-hour window for sampling at some locations. Further, some or all of these staff may be in the field with other tasks. In addition, local weather patterns are such that a storm event may start at a distant facility but not reach the Cathcart site for a long period of time. Finally, it is not practical to keep staff in "standby" ready to make a sampling run based on weather forecasts, nor is it practical to pre-position staff or adjust schedules to ensure enough coverage. During the last and first quarter this is not such a major concern, as there are multiple storm events with which to work.

2. Monitoring / Sampling – *Storm drainage features may preclude obtaining a sample in the first hour.*

The logical sampling point at the property boundary for many installations is likely at the end of a "train" of conveyances and detention and treatment BMP's. Depending on the size of the BMP's and the severity of the start of the storm, flow may not be present within the first hour. This is particularly true given the requirement for no discharge for 24 hours prior to the storm event. In the drier months, the initial runoff may be soaked up

by swales, or need to overcome low levels in detention facilities before having a discharge that can be sampled.

3. Monitoring / Sampling – *Some sites may not be able to attain a condition of "no discharge for 24 hours" because of natural seeps or springs that discharge water into the storm drainage system.*

It will be difficult to obtain a representative sample of the "first flush" runoff for these specific sites.